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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/340,782	06/28/1999	FRANK REISINGER	P99-1032	4346

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EXAMINER

SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/340,782

Applicant(s)

REISINGER, FRANK

Examiner

Cristina O Sherr

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. In view of the Brief on Appeal filed on 10 March 2003, PROSECUTION IS HEREBY REOPENED. Options set forth below.
2. To avoid abandonment of the application, appellant must exercise one of the following two options:
 - (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
 - (2) request reinstatement of the appeal.
3. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Response to Arguments

4. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Sansone et al (US 5,008,827).
7. Regarding claim 1 -

Art Unit: 3621

Sansone discloses a method for dependably transmitting service data from a data center to remotely-located terminal equipment, comprising the steps of: offering new service data at a data center for future use at terminal equipment (col 7 ln 5-20); forming a request for new service data at the terminal equipment (col 7 ln 21-30); establishing a first communication between the terminal equipment and the data center and in said first communication transmitting said request data from the terminal equipment to the data center, receiving the request data at the data center, transmitting the new service data requested in the request data from the data center to the terminal equipment, and receiving and storing the new service data at the terminal equipment (col 7 ln 25-35); and establishing a second communication between the terminal equipment and the data center and in said second communication forming a message at the terminal equipment that refers to the new service data stored at the terminal equipment, communicating said message from the terminal equipment to the data center, receiving the message from the terminal equipment at the data center and checking the message at the data center by comparison of information contained in the message with information generated from the new service data at the data center and, given a positive comparison result, transmitting a follow-up message from the data center to the terminal equipment allowing said terminal equipment, when appropriate, to use said new service data, and registering at the data center the valid transmission of the new service data to the terminal equipment (col 7 ln 40-60).

8. Regarding claim 2 –

Art Unit: 3621

Sansone discloses a method as claimed in claim 1 wherein said follow-up message comprises an OK message allowing the terminal equipment to be switched into an operating mode (col 9 ln 4 –40).

9. Regarding claim 3 –

Sansone discloses a method as claimed in claim 2 wherein the step of transmitting said OK message includes transmitting a marking in said OK message indicating that the new service data stored at the terminal equipment are valid (col 8 ln 54 – col 9 ln 6).

10. Regarding claim 4 –

Sansone discloses a method as claimed in claim 1 wherein the step of storing the new service data in the first communication comprises intermediately storing the new service data at the terminal equipment, and wherein the step of transmitting said follow-up message in said second communication comprises transmitting a load instruction from the data center to the terminal equipment, and wherein said second communication includes the step of, upon receipt of said load instruction at the terminal equipment, loading the new service data into a non-volatile memory of a processing module at the terminal equipment (col 11 ln 3-24).

11. Regarding claim 5 –

Sansone discloses a method as claimed in claim 1 wherein the step of forming said message in the second communication at the terminal equipment comprises forming a message including a version number associated with the new service data and a checksum (col 15 ln 34-40).

12. Regarding claim 6 –

Art Unit: 3621

Sansone discloses a method as claimed in claim 1 wherein the step of forming said message in the second communication at the terminal equipment comprises forming a message including a version number associated with the new service data and an encrypted checksum (Col 15 ln 30-40).

13. Regarding claim 7 –

Sansone discloses a method as claimed in claim 1 wherein the step of offering said new service data comprises offering postage fee schedule table data as said new service data, and comprising the step of providing a postage computer having a processing module which makes use of said postage fee schedule table data at said terminal equipment (col 8 ln 54-60).

14. Regarding claim 8 –

Sansone discloses a method as claimed in claim 7 wherein the step of forming said message in said second communication at said terminal equipment includes forming a message including a version number of the new service data and an encrypted checksum, and comprising the step of providing a postage meter machine at said terminal equipment in communication with said postage computer, storing a secret key in said postage meter machine, forming said encrypted checksum in said postage meter machine using a symmetrical encryption algorithm and said secret key, and storing said secret key as well at said data center and using said secret key at said data center to check said message from said terminal equipment in said second communication (col 10 ln 15 – 33).

15. Regarding claim 9 –

Art Unit: 3621

Sansone discloses a method as claimed in claim 7 wherein the step of forming said message in said second communication at said terminal equipment comprises forming a message including a version number of the new service data and an encrypted checksum, and comprising the steps of storing a public key in said postage computer and forming said encrypted checksum in said postage computer using an asymmetrical encryption algorithm and said public key, and storing a non-public secret key, related to said public key, at said data center and using said non-public secret key at said data center to check said message in said second communication (col 10 ln 15 – 33).

16. Regarding claim 10 –

Sansone discloses a method as claimed in claim 1 wherein the step of offering new service data at said data center comprises offering new postage fee schedule table data at said data center for future use in postage calculation, and wherein the step of checking the message transmitted from the terminal equipment to the data center in the second communication comprises checking information contained in said message by comparison with information generated from the new postage fee schedule table data, and wherein the step of transmitting said follow-up message in said second communication from said data center to the terminal equipment comprises transmitting an OK message indicating that the new postage fee schedule table data received at said terminal equipment are valid and also including a load instruction instructing the terminal equipment to load the new postage fee schedule table data into a non-volatile memory of a postage computer at said terminal equipment (col 9 ln 6 – 44).

17. Regarding claim 11 –

Art Unit: 3621

Sansone discloses a method as claimed in claim 10 comprising the additional step of loading said new postage fee schedule table data into said non-volatile memory at said postage computer upon receipt at said terminal equipment of said follow-up message (col 11 ln 3-24).

18. Claims 12-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Sansone et al (US 5,008,827).

19. Regarding claim 12 -

Sansone discloses a method for dependably transmitting service data from a data center to remotely-located terminal equipment, comprising the steps of transmitting unencrypted service data from a data center to terminal equipment; generating a code at the terminal equipment based on the transmitted service data; transmitting said code from said terminal equipment to said data center; and receiving said code at said data center and checking said code at said data center and transmitting a message from said data center to said terminal equipment identifying a result of the check (col 9 ln 46-55).

20. Regarding claim 13 -

Sansone discloses a method as claimed in claim 12 comprising providing a postage computer at said terminal equipment, and wherein the step of transmitting unencrypted service data to the terminal equipment comprises transmitting unencrypted fee schedule table data, as said unencrypted service data, to said postage computer, and comprising the steps of generating a checksum at said postage computer based on the transmitted fee schedule table data and transmitting the checksum to the data center as at least a part of said code, and wherein the step of checking the code at the data center

Art Unit: 3621

comprises checking the checksum at the data center on the basis of a stored checksum stored at said data center and wherein the step of transmitting a message to the terminal equipment comprises transmitting an OK message to the terminal equipment given coincidence of said stored checksum with the checksum transmitted to the data center (col 10 ln 15 – 33).

21. Regarding claim 14 –

Sansone discloses a method as claimed in claim 12 comprising providing a postage computer at said terminal equipment, and wherein the step of transmitting unencrypted service data to the terminal equipment comprises transmitting unencrypted fee schedule table data, as said unencrypted service data, to said postage computer, and comprising the steps of generating a encrypted code at said postage computer based on the transmitted fee schedule table data and transmitting the encrypted code to the data center as at least a part of said code, and wherein the step of checking the code at the data center comprises checking the encrypted code at the data center on the basis of a stored encrypted code stored at said data center and wherein the step of transmitting a message to the terminal equipment comprises transmitting an OK message to the terminal equipment given coincidence of said stored encrypted code with the encrypted code transmitted to the data center (col 10 ln 15 – 33).

22. Regarding claim 15 –

Sansone discloses a method as claimed in claim 12 comprising providing a postage computer at said terminal equipment and wherein the step of transmitting unencrypted service data to the terminal equipment comprises transmitting unencrypted fee schedule

Art Unit: 3621

table data, as said unencrypted service data, to said postage computer, and wherein the step of generating a code at the terminal equipment comprises generating a signature representing information dependent on the transmitted fee schedule table data and encrypting said information with a public write key to form said signature, and wherein the step of transmitting said code to the data center comprises transmitting said signature to the data center, and wherein the step of checking the code at the data center comprises decrypting the signature at the data center with a secret read key according to an asymmetrical algorithm and checking the information in the signature with information stored at the data center and, given a positive comparison result, transmitting an OK message to the terminal equipment (col 9 ln 6 – 44).

23. Regarding claim 16 –

Sansone discloses a method as claimed in claim 15 comprising the step of forming a checksum as said information contained in said signature (col 9 ln 40-45).

24. Claims 17-27 are rejected under 35 U.S.C. 102(a) as being anticipated by Sansone et al (US 5,008,827).

25. Regarding claim 17 -

Sansone discloses an arrangement for dependably transmitting service data from a data center to remotely-located terminal equipment, comprising a data center, and terminal equipment located remote from said data center, said data center offering new service data for future use at said terminal equipment; means for forming a request for new service data at the terminal equipment; means for establishing a first communication between the terminal equipment and the data center and in said first

Art Unit: 3621

communication transmitting said request data from the terminal equipment to the data center, means for receiving the request data at the data center and for transmitting the new service data requested in the request data from the data center to the terminal equipment, and means for receiving and storing the new service data at the terminal equipment; and means for establishing a second communication between the terminal equipment and the data center and in said second communication forming a message at the terminal equipment that refers to the new service data stored at the terminal equipment and for communicating said message from the terminal equipment to the data center, means for receiving the message from the terminal equipment at the data center and for checking the message at the data center by comparing information contained in the message with information generated from the new service data at the data center and, given a positive comparison result, for forming and transmitting a follow-up message from the data center to the terminal equipment allowing said terminal equipment, when appropriate, to use said new service data, and means for registering at the data center the valid transmission of the new service data to the terminal equipment (col 7 ln 40-60).

26. Regarding claim 18 –

Sansone discloses an arrangement as claimed in claim 17 wherein said means for forming said follow-up message comprises means for forming an OK message allowing the terminal equipment to be switched into an operating mode (col 9 ln 4 –40).

27. Regarding claim 19 –

Sansone discloses an arrangement as claimed in claim 18 wherein said means for forming said OK message means for including a marking in said OK message indicating that the new service data stored at the terminal equipment are valid (col 8 ln 54 – col 9 ln 6).

28. Regarding claim 20 –

Sansone discloses an arrangement as claimed in claim 17 wherein said means for storing the new service data in the first communication comprise means for intermediately storing the new service data at the terminal equipment, and wherein said means for transmitting said follow-up message in said second communication comprise means for transmitting a load instruction from the data center to the terminal equipment, and wherein said terminal equipment comprises means for, upon receipt of said load instruction at the terminal equipment, loading the new service data into a non-volatile memory of a processing module at the terminal equipment (col 11 ln 3-24).

29. Regarding claim 21 –

Sansone discloses an arrangement as claimed in claim 17 wherein said means for forming said message in the second communication at the terminal equipment comprise means for forming a message including a version number associated with the new service data and a checksum (Col 15 ln 30-40).

30. Regarding claim 22 –

Sansone discloses an arrangement as claimed in claim 17 wherein said means for forming said message in the second communication at the terminal equipment comprise

Art Unit: 3621

means for forming a message including a version number associated with the new service data and an encrypted checksum (Col 15 In 30-40).

31. Regarding claim 23 –

Sansone discloses an arrangement as claimed in claim 17 wherein said data center comprises means for offering postage fee schedule table data as said new service data, and wherein said terminal equipment comprises a postage computer having a processing module which makes use of said postage fee schedule table data (col 8 In 54-60).

33. Regarding claim 24 –

Sansone discloses an arrangement as claimed in claim 23 wherein said means for forming said message in said second communication at said terminal equipment comprise means for forming a message including a version number of the new service data and an encrypted checksum, and wherein said terminal equipment comprises a postage meter machine in communication with said postage computer, means for storing a secret key in said postage meter machine, means for forming said encrypted checksum in said postage meter machine using a symmetrical encryption algorithm and said secret key, and wherein said data center comprises means for storing said secret key as well at said data center and wherein said means for checking comprise means for using said secret key to check said message from said terminal equipment in said second communication (col 8 In 54-60).

34. Regarding claim 25 –

Art Unit: 3621

Sansone discloses an arrangement as claimed in claim 23 wherein said means for forming said message in said second communication at said terminal equipment comprise means for forming a message including a version number of the new service data and an encrypted checksum, and wherein said postage computer comprises means for storing a public key and for forming said encrypted checksum using an asymmetrical encryption algorithm and said public key, and wherein said data center comprises means for storing a non-public secret key, related to said public key, at said data center and wherein said means for checking comprise means for using said non-public secret key to check said message in said second communication (Col 11 Ln 31-40).

35. Regarding claim 26 –

Sansone discloses an arrangement as claimed in claim 17 wherein said data center comprises means for offering new postage fee schedule table data at said data center for future use in postage calculation, and wherein said means for checking the message transmitted from the terminal equipment to the data center in the second communication comprises means for checking information contained in said message by comparison with information generated from the new postage fee schedule table data, and wherein said means for transmitting said follow-up message in said second communication from said data center to the terminal equipment comprises means for transmitting an OK message indicating that the new postage fee schedule table data received at said terminal equipment are valid and also including a load instruction instructing the

Art Unit: 3621

terminal equipment to load the new postage fee schedule table data into a non-volatile memory of a postage computer at said terminal equipment (col 11 ln 3-24).

36. Regarding claim 27 –

Sansone discloses an arrangement as claimed in claim 26 wherein said terminal equipment comprises loading said new postage fee schedule table data into said non-volatile memory at said postage computer upon receipt at said terminal equipment of said follow-up message (col 11 ln 4 – 17).

37. Claims 28-32 are rejected under 35 U.S.C. 102(a) as being anticipated by Sansone et al (US 5,008,827).

38. Regarding claim 28 -

Sansone discloses an arrangement for dependably transmitting service data from a data center to remotely-located terminal equipment, comprising a data center, and terminal equipment located remote from said data center; means for transmitting unencrypted service data from the data center to the terminal equipment; means for generating a code at the terminal equipment based on the transmitted service data; means for transmitting said code from said terminal equipment to said data center; and means for receiving said code at said data center and for checking said code at said data center and for transmitting a message from said data center to said terminal equipment identifying a result of the check (col 9 ln 46-55).

39. Regarding claim 29 –

Sansone discloses an arrangement as claimed in claim 28 wherein said terminal equipment comprises a postage computer, and wherein said means for transmitting

Art Unit: 3621

unencrypted service data to the terminal equipment comprises means for transmitting unencrypted fee schedule table data, as said unencrypted service data, to said postage computer, and wherein said postage computer comprises means for generating a checksum based on the transmitted fee schedule table data and wherein said means for transmitting said code comprise means for transmitting the checksum to the data center as at least a part of said code, and said means for checking the code at the data center comprise means for checking the checksum at the data center on the basis of a stored checksum stored at said data center and for transmitting a message to the terminal equipment comprising an OK message to the terminal equipment given coincidence of said stored checksum with the checksum transmitted to the data center (col 10 ln 15 – 33).

40. Regarding claim 30 –

Sansone discloses an arrangement as claimed in claim 28 wherein said terminal equipment comprises a postage computer, and said means for transmitting unencrypted service data to the terminal equipment comprises means for transmitting unencrypted fee schedule table data, as said unencrypted service data, to said postage computer, and wherein said postage computer comprises means for generating an encrypted code based on the transmitted fee schedule table data and wherein said means for transmitting said code comprise means for transmitting the encrypted code to the data center as at least a part of said code, and wherein said means for checking the code at the data center comprise means for checking the encrypted code at the data center on the basis of a stored encrypted code stored at said data center and for transmitting a

Art Unit: 3621

message to the terminal equipment comprising an OK message to the terminal equipment given coincidence of said stored encrypted code with the encrypted code transmitted to the data center (col 10 ln 15 – 33).

41. Regarding claim 31 –

Sansone discloses an arrangement as claimed in claim 28 wherein said terminal equipment comprises a postage computer and wherein said means for transmitting unencrypted service data to the terminal equipment comprise means for transmitting unencrypted fee schedule table data, as said unencrypted service data, to said postage computer, and wherein said postage computer comprises said means for generating a code at the terminal equipment, said postage computer generating a signature, as said code, representing information dependent on the transmitted fee schedule table data and encrypting said information with a public write key to form said signature, and wherein said means for transmitting said code to the data center comprises means for transmitting said signature to the data center, and said means for checking the code at the data center comprise means for decrypting the signature at the data center with a secret read key according to an asymmetrical algorithm and for checking the information in the signature with information stored at the data center and, given a positive comparison result, for transmitting an OK message to the terminal equipment (col 10 ln 30-44).

42. Regarding claim 32 –

Sansone discloses an arrangement as claimed in claim 31 wherein said postage computer comprises forming a checksum as said information contained in said signature (col 10 ln 30-44).

43. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

45. Kubatzki et al (US 6,064,994A) discloses a method and arrangement for data processing in a mail-shipping business with a postage meter machine.

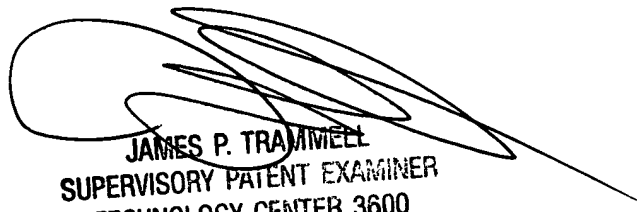
46. Markl et al (US 5,710,706) discloses a method for entering data into a scale.

47. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

Art Unit: 3621

48. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

49. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600